1 2 3 4 5 6 7 8 IN THE UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 JOHN MONTUE, 11 Plaintiff, No. CIV S-02-0638 FCD KJM P 12 VS. 13 EDWARD ALAMEIDA, et al.,s Defendants. 14 ORDER 15 16 Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action 17 seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate 18 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262. 19 On October 21, 2005, the magistrate judge filed findings and recommendations 20 herein which were served on all parties and which contained notice to all parties that any 21 objections to the findings and recommendations were to be filed within twenty days. Neither 22 party has filed objections to the findings and recommendations. 23 The court has reviewed the file and finds the findings and recommendations to be 24 supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY 25 ORDERED that: ///// 26

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1	1. The findings and recommendations filed October 21, 2005 are adopted in full;
2	and
3	2. Plaintiff's August 29, 2005 request for a preliminary injunction is denied.
4	DATED:December 5, 2005
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6	/s/ Frank C. Damrell Jr. FRANK C. DAMRELL JR.
7	United States District Judge
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